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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09.899,413	07/05/2001	David J. Hathaway	BUR9-2001-0008-US1	4750

29154 7590 06.25.2002

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[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2818

DATE MAILED: 06/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 09/899,413	Applicant(s) HATHAWAY ET AL.	
	Examiner TRONG PHAN	Art Unit 2818	
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>			
Period for Reply			
<p>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>three</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.</p> <p><small>- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</small></p> <p><small>- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.</small></p> <p><small>- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</small></p> <p><small>- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).</small></p> <p><small>- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</small></p>			
Status			
<p>1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>Jul 5, 2001</u></p> <p>2a) <input type="checkbox"/> This action is FINAL. 2b) <input checked="" type="checkbox"/> This action is non-final.</p> <p>3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11; 453 O.G. 213.</p>			
Disposition of Claims			
<p>4) <input checked="" type="checkbox"/> Claim(s) <u>1-23</u> is/are pending in the application.</p> <p>4a) Of the above, claim(s) _____ is/are withdrawn from consideration.</p>			
<p>5) <input type="checkbox"/> Claim(s) _____ is/are allowed.</p>			
<p>6) <input checked="" type="checkbox"/> Claim(s) <u>1-23</u> is/are rejected.</p>			
<p>7) <input type="checkbox"/> Claim(s) _____ is/are objected to.</p>			
<p>8) <input type="checkbox"/> Claims _____ are subject to restriction and/or election requirement.</p>			
Application Papers			
<p>9) <input type="checkbox"/> The specification is objected to by the Examiner.</p>			
<p>10) <input type="checkbox"/> The drawing(s) filed on _____ is/are a) <input type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner.</p> <p>Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).</p>			
<p>11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved by the Examiner.</p> <p>If approved, corrected drawings are required in reply to this Office action.</p>			
<p>12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.</p>			
Priority under 35 U.S.C. §§ 119 and 120			
<p>13) <input type="checkbox"/> Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</p> <p>a) <input type="checkbox"/> All b) <input type="checkbox"/> Some* c) <input type="checkbox"/> None of:</p> <ol style="list-style-type: none"> 1. <input type="checkbox"/> Certified copies of the priority documents have been received. 2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____. 3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). 			
<p>*See the attached detailed Office action for a list of the certified copies not received.</p>			
<p>14) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).</p> <p>a) <input type="checkbox"/> The translation of the foreign language provisional application has been received.</p>			
<p>15) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.</p>			
Attachment(s)			
<p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p>			
<p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p>			
<p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). <u>2</u></p>			
<p>4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____</p>			
<p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p>			
<p>6) <input type="checkbox"/> Other:</p>			

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Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: elements clk, gate, slower (loaded), gate inverse clk output and Cload in Fig. 10. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, all the features as recited in claims 1-23 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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4. Claims 1-23 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

All the features as recited under The Summary of The Invention and all the features as recited in claims 1-23 are not understood because they are not seen in any drawing of the present invention.

The features as recited in claims 3, 8-10, 15 and 22 are not described in the specification.

The step of computing a conventional propagated mode test value as recited in claim 10 can not be claimed because it is conventional.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 7, 14 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 7, 14 and 21, no antecedent basis for "said gate signal across said gate device" and "the outputting a portion of a clock pulse".

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7. Claims 2-10, 12-16 and 18-23 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

8. Claims 1, 11 and 17 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Abato et al., 5,508,937, Kudva et al., 6,167,557, Iyer et al., 6,334,205, and Ashar et al., 5,457,638.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRONG PHAN whose telephone number is (703) 308-4870 and email address is trong.phan@uspto.gov

phantron

TRONG PHAN
PRIMARY EXAMINER

June 23, 2002